

111TH CONGRESS
1ST SESSION

S. RES. 238

To provide for a point of order against any legislation that eliminates or reduces the ability of Americans to keep their health plan or their choice of doctor or that decreases the number of Americans enrolled in private health insurance, while increasing the number of Americans enrolled in government-managed health care.

IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2009

Mr. DEMINT submitted the following resolution; which was referred to the
Committee on Rules and Administration

RESOLUTION

To provide for a point of order against any legislation that eliminates or reduces the ability of Americans to keep their health plan or their choice of doctor or that decreases the number of Americans enrolled in private health insurance, while increasing the number of Americans enrolled in government-managed health care.

1 *Resolved,*

1 **SECTION 1. POINT OF ORDER ON LEGISLATION THAT**
2 **ELIMINATES OR REDUCES THE ABILITY OF**
3 **AMERICANS TO KEEP THEIR HEALTH PLAN**
4 **OR THEIR CHOICE OF DOCTOR.**

5 (a) IN GENERAL.—In the Senate, it shall not be in
6 order, to consider any bill, joint resolution, amendment,
7 motion, or conference report that—

8 (1) eliminates or reduces the ability of Ameri-
9 cans to keep their health plan;

10 (2) eliminates or reduces the ability of Ameri-
11 cans to keep their choice of doctor; or

12 (3) decreases the number of Americans enrolled
13 in private health insurance, while increasing the
14 number of Americans enrolled in government-man-
15 aged health care.

16 (b) SUSPENSION OF POINT OF ORDER.—A point of
17 order raised under subsection (a) shall be suspended in
18 the Senate upon certification by the Congressional Budget
19 Office that such bill, joint resolution, amendment, motion
20 or conference report does not—

21 (1) eliminate or reduce the ability of Americans
22 to keep their health plan;

23 (2) eliminate or reduce the ability of Americans
24 to keep their choice of doctor; or

25 (3) decrease the number of Americans enrolled
26 in private health insurance, while increasing the

1 number of Americans enrolled in government-man-
2 aged health care.

3 (c) WAIVER.—This section may be waived or sus-
4 pended only by an affirmative vote of three-fifths of the
5 Members, dully chosen and sworn.

6 (d) APPEALS.—An affirmative vote of three-fifths of
7 the Members of the Senate, duly chosen and sworn, shall
8 be required to sustain an appeal of the ruling of the Chair
9 on a point of order raised under this section.

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